

Minutes
Regular meeting of the City of Reading Planning Commission
September 23, 2014 at 7:00 pm

Members present:

Ermete J. Raffaelli, Chairman
Michael E. Lauter, Secretary
Wayne Jonas Bealer, Assistant Secretary

Staff present:

Andrew W. Miller, Planning Office

Others present:

Jason P. Shaner, Impact Engineering Group
Michael J. Vottero, Dolan Construction Inc.
Pablo Tejada, Olivet Boys & Girls Club of Reading & Berks County
Brad White, Olivet Boys & Girls Club of Reading & Berks County
Michelle A. Katzenmoyer
Otis Smith
Brian S. Focht, Van Cleef Engineering Associates LLC
Ann Sellers, Van Cleef Engineering Associates LLC
Domenico Brutto, Mimmo's Restaurant & Pizzeria
Michael J. Bingham, Forino Company LP
Stephen F. DeLucas, Reading Eagle Company

Chairman Raffaelli called the September meeting to order, and asked for acceptance of the agenda. Noting the absence of the engineer presenting the 'Mimmo's Restaurant Additions' plan, Mr. Miller suggested they defer to the 'Pendora Park Olivet Boys & Girls Club' presentation. Mr. Lauter moved to accept the September 23rd agenda, with the modification. Mr. Bealer seconded. And the Commission voted unanimously to accept the revised September agenda.

Subdivision and Land Development:

Pendora Park Olivet Boys & Girls Club – preliminary land development plan [0:00.00]

Mr. Shaner introduced the project team, and recalled the 2011 'use variance' granted by the Zoning Hearing Board. He said a lease agreement with the City followed, and a fundraising campaign. He said another zoning hearing, and nine design variances, resulted in the current proposal for a one-story building in Pendora Park. He described the specific location and its topography, the stormwater management facilities, and an extensive landscaping plan focused on the area between the building and the rest of the Park. He said they had no objections to the Planning Office review, and were waiting on the Public Works Department review. Mr. Vottero introduced himself as a project manager filling in for the architects of record, identified as Patrick J. Dolan and Lee C. Olsen. He estimated the floor area at about 15,500 square feet, with a multi-purpose/gymnasium, other program areas, a central lobby and restrooms. He displayed architectural elevations that he described as conceptual. He said they are proposing a combination of textured masonry and metal siding, and a metal roof. A wood deck is planned for the Park side (west) of the building. Only the main entrance, on the South 19th Street side, will be used regularly, for security reasons. Mr. Tejada explained that sidewalk will define the pedestrian path to the Park side. Mr. Bealer noted the elevation (grade) change at the rear of the building. Mr. Miller wondered if the stormwater basin itself was the concern in omitting an access from the rear/deck. Mr. Tejada described their security considerations, characterizing the practice as consistent with their other facilities. Mr. Shaner noted that they'd be relocating and reconstructing an existing pavilion, in coordination with City staff. Mr. Lauter asked for clarification of the land ownership issues. Mr. Shaner clarified that the City retains its title, and has entered into a lease with the Olivet Club, which includes maintenance responsibilities. Mr. Miller asked about the administrative functions and intended regular occupancy of the building. Mr. Tejada confirmed that it would be staffed by a full-time director, with the regular presence of other administrators, during week-day business hours at least. Asked about the parking, Mr. Shaner described spaces perpendicular along, and adjacent to South 19th Street, similar to the current pattern on Forrest Street. He said the Hearing Board required 15 spaces, but expected most of the visitation to be by foot and bicycle. Mr. Raffaelli asked how the new building would engage and complement the existing fieldhouse. Mr. Shaner referred to the generous landscaping, and the grass embankment formed by the stormwater basin. Mr. Raffaelli referred to an earlier approval of a similar proposal, wondering how the current plan compared with it. Mr.

Shaner wasn't sure, referring to the preceding couple years spent in fund raising. Asked if there were any questions about the staff review, Mr. Shaner recognized work remaining and the other agencies having jurisdiction. He said they weren't expecting an immediate approval. Mr. Miller suggested they disperse the proposed shade trees, considering their mass at maturity. Mr. Raffaelli asked that they finalize the elevations, including the intended materials and colors, for a future presentation. Mr. Lauter suggested that 'earth-tone' colors are appropriate to the park setting and complimentary to the existing building. Asked for more explanation on the stormwater planning, Mr. Shaner described the basin's infiltration and bioretention functions, the natural materials used, and the stringent (NPDES) standards to be met. Mr. Bealer noted that parking seems to extend along the length of 19th Street whenever events are held at the fieldhouse, including vehicles on the grass. Mr. Shaner said they weren't proposing any change in the current practice or the street topography. He said the Public Works Department wasn't seeking any curbing along the street frontage. Mr. Miller reminded that the normally-required curbing would have to be addressed through a waiver request, and possibly the sidewalk if not proposed for the full extent of the frontage. Mr. Shaner explained that the stormwater flows, beyond that infiltrated, would be directed toward the 'Rose Valley' storm sewer traversing the park, and should improve the existing condition. He said the current regulations require a substantial quantity of infiltration. Mr. Bealer asked if there were any agreements regarding the use of the athletic field. Mr. Tejada said nothing 'formal', though they are certainly interested in the programming opportunities, subject to or in collaboration with other groups. Mr. Bealer mentioned that the Reading Youth Athletic Program recently moved its year-round program to Pandora Park, having lost its use of Baer Park to the Reading Phillies. He said they're concerned about making another move, as Pandora appeared to be the last field available with lights. Mr. Tejada noted that many Olivet Club members participate in that league, and thought it complimentary as the Club doesn't have its own football program. The Hearing Board's deference to the Zoning Administrator on landscaping issues was discussed, in the context of the Shade Tree Commission's jurisdiction. Mr. Raffaelli briefly explained the Planning Code's deadlines and the extension process. Asked about the planned route of the sanitary sewer lateral, Mr. Shaner said there are no existing lines in the immediate vicinity, and said disruptions from the trenching would be restored. About the waterline relocation, he said they've been meeting with the Water Authority, who are amenable to the planned modification. He confirmed that the existing fire hydrant would be reconnected. Mr. Raffaelli suggested pervious paving or unit pavers in the parking areas, for the added stormwater benefit. Mr. Shaner preferred other management practices, noting the 'freeze-thaw' and maintenance considerations. Mr. Miller recommended the plan be tabled pending the other reviews and receipt of permits.

Mr. Lauter moved to table the preliminary plan. Mr. Bealer seconded. Recognizing the other attendees, Mr. Miller offered an opportunity for other questions. Ms. Katzenmoyer said several of her prepared questions were addressed in the presentation. She offered those in writing to the Commission, and asked about an existing catch basin and other relocations necessary to accommodate the new construction. Mr. Shaner indicated the general area reserved for the pavilion, the 17 to 18 trees being replaced, and the water main. He described the stormwater basin's relation to the existing slope. Mr. Raffaelli returned to the pending motion. And the Commission voted unanimously to table the Olivet Club's preliminary plan.

Mimmo's Restaurant Additions – final annexation and land development plan [0:36.36]

Mr. Focht referred to the presentation at the July meeting, and some of the revisions made since. He acknowledged a second review from the Planning Office, and anticipated another from the Public Works Department. He said all the comments are a 'will comply', characterizing most as drafting and notational items. He promised a legal description for the combined property, and mentioned the progress toward a zoning permit and a highway-occupancy permit. He reported the Berks County Conservation District had already approved the erosion controls, and said no sewage planning module was necessary. Mr. Miller clarified that the information must be noted on the plan. Mr. Focht understood, and referred to his meeting, moments earlier, with the Zoning Administrator, who was apparently willing to issue a conditional permit, subject to 'minor changes', and address the Commission directly if that was the only item preventing an approval. Asked to clarify whether a permit had been issued, Mr. Focht said not. He said they resubmitted to the Pennsylvania Department of Transportation (PennDOT), whose District Permit Manager determined the major items resolved and intends to issue the permit upon passage of an ordinance restricting the on-street parking near the driveways and a written authorization for connection to the City's storm sewer. He said it wasn't anything that would change the layout of the plan, and suggested a conditional approval. He said the owner wants to start before the winter, and have the addition ready for the holiday season. Mr. Raffaelli asked about the means of remediating stormwater impacts, if flooding results from the new development. Mr. Focht said they're required to match or improve the existing condition. Mr. Raffaelli referred to an existing problem at a point downstream, and on private property (behind the Beneficial Society Victor Emmanuel II club on Hazel Street). Mr. Focht replied that the City's and PennDOT's engineers have reviewed the plan with that concern in mind. Asked if a municipal improvements agreement had been prepared, Mr. Focht said not yet, predicting a minimal amount for the utility connections and the second driveway. Mr. Bealer wondered if the

parking restriction required the formality of an ordinance. Mr. Focht said the Public Works Department had ultimately determined it would, though the Zoning Administrator offered to write a letter to PennDOT regarding the City's intent. Mr. Bealer surmised that the legislation may be necessary to empower police enforcement. Mr. Focht hoped the Zoning Administrator's letter might expedite that process. Asked about an existing fire hydrant near the proposed driveway, he confirmed there was enough separation to obviate its relocation. Mr. Miller asked why the disturbance boundary was drawn around the demolition, the new water lateral and new construction. Mr. Focht said the Conservation District doesn't view already impervious areas being milled as 'disturbance'. He said the parts of the building addition over existing grass areas are included, and that utility trenches aren't considered disturbance as long as they are backfilled and restored in the same day. Asked if they were authorizing an extension of the review period, Mr. Focht said if it is necessary. Mr. Miller said that was his recommendation, and took the terms from the letter presented. He suggested they might work toward a revision that could be both approved and endorsed at the following meeting, if the timing is critical, while reminding that everything had to be documented prior to its recording.

Mr. Bealer moved to table the final plan. Mr. Lauter seconded. And the Commission voted unanimously to table the 'Mimmo's Restaurant Additions' final plan.

Mr. Lauter moved to grant the extension of the review period 'until the next Planning Commission meeting', as offered in a letter from the engineer dated September 17th. Mr. Bealer seconded. And the Commission voted unanimously to extend their review to the October meeting.

Resolution #26-2014

Reading Overhead Door-Proposed Storage Building – final annexation and land development plan [0:57.56]

Mr. Bingham conveyed the owner's regrets, as he was unable to attend himself. He said they had no issues with the latest Planning Office review, characterizing most of its comments as drafting corrections. He recalled the consideration of a sidewalk waiver, at the August meeting, and briefly described the project as an unconditioned building, requiring the extension of the (overhead) electric service, but no other utilities. Mr. Raffaelli, having visited the site, offered his support for the waiver. Mr. Miller handed over a copy of the zoning permit, which he had just received from the Zoning Administrator. He said some issues and steps remain, but from his understanding of the Public Works Department and Muhlenberg Township, he recommended a conditional final approval, to include the intended waiver.

Mr. Lauter moved to grant a final approval, conditioned on the plan satisfying the latest staff reviews, Muhlenberg Township's governing body following the recommendation of its planning agency, and waiving the installation of additional sidewalk (§515-602.D). Mr. Bealer seconded. And the Commission voted unanimously to conditionally approve the 'Reading Overhead Door' final plan.

Resolution #27-2014

Other business:

§603.c.2 conditional use review-321 North 8th Street (conversion) [1:02.57]

Mr. Bealer felt that the applicant should provide better detail on the availability of off-street parking. Mr. Miller referred to some last-minute information from the Zoning Office regarding the permitting history of the property, which he read aloud. It recited the prior property-maintenance inspections, and the housing permit fees paid. The Zoning Office determined that the third apartment had been established without approval, and didn't meet the square-footage requirements of the Zoning Ordinance. They recommend the application be denied based on the available floor area. The Commission members observed that the would-be third-floor unit has its kitchen and bathroom on the first floor.

Mr. Lauter moved to recommend that City Council deny the conditional use, limiting the property to a two-unit dwelling, based on the deficiency in floor area identified in the Zoning Office's report. Mr. Bealer seconded. And the Commission voted unanimously to forward a recommendation to City Council to deny the requested third unit at 321 North 8th Street.

Resolution #28-2014

§603.c.2 conditional use review-139 South 10th Street (conversion) [1:11.55]

Mr. Miller again read from a report provided by the Zoning Office regarding the permitting and inspection background. The second unit was denied upon the most-recent zoning application, as there was no evidence of a rental use of the property prior to the current ownership. The Zoning Office recommended the second unit be denied based on that lack of evidence.

Mr. Bealer moved to recommend that City Council deny the conditional use, limiting the property to a

single-unit dwelling, based on the lack of evidence that the second unit was legally permitted. Mr. Lauter seconded. And the Commission voted unanimously to forward a recommendation to City Council to deny the second dwelling unit at 139 South 10th Street.

Resolution #29-2014

§603.c.2 conditional use review-714 Franklin Street (boarding house) [1:16.03]

Mr. Miller read from the Zoning Office's report, which recounted a previous application denied in 1986, inspections as a two-unit property, a 2010 lawsuit against the City but later withdrawn, subsequent permitting as a two-unit building, complaints about its continued use as a boarding house, and legal actions that ultimately found the applicant 'guilty in absentia'. The latest application identifies two off-street parking spaces, and claims the property has been used as a boarding house for over 70 years.

Mr. Lauter moved to recommend that City Council deny the conditional use based on its history of inspections, permitting and adjudications, as summarized in the Zoning Office's report. Mr. Bealer seconded. And the Commission voted unanimously to forward a recommendation to City Council to deny the proposed boarding house at 714 Franklin Street.

Resolution #30-2014

§508.3 agreement to extension-Jet Set Restaurant Parking Area [1:22.00]

Mr. Raffaelli noted the several 'last times' that extensions have been granted to Jet Set. Mr. Miller shared that frustration, and explained that, like the 'Mimmo's Restaurant Additions' situation, PennDOT is requiring a City ordinance restricting on-street parking where it would interfere with the clear-sight triangle at the driveway opening. He said the Public Works Department is considering the matter, and believed PennDOT may have changed the way it reviews such applications. He resisted any action which would preempt City Council's process and advised that other City staff be equally cautious. He recommended another extension, noting the occupancy permit was the last substantive obstacle to plan approval. Mr. Raffaelli noted that the applicant appeared to have recently painted his own parking restrictions. Mr. Miller noted the same, as well as their removal of signage, that he understood to have been captured by surveillance cameras. Mr. Raffaelli thought their defiant behavior all the more reason to deny the plan, and contemplated his own motion. Mr. Miller referred to complications is crafting a formal denial based on the limited outstanding issues within the Commission's purview. He said the violations are being investigated in a different venue and, while outrageous, shouldn't be the basis of the Commission's denial.

Mr. Bealer moved to extend the review of the 'Jet Set Restaurant Parking Area' final plan by another 90 days, as requested in a September 16th letter emailed from the project engineer. Mr. Lauter seconded. And the Commission voted unanimously to approve a 90-day extension of the Planning Code limits for the Jet Set parking plan.

Resolution #31-2014

§508.3 agreement to extension-Homes at Riverside [1:28.44]

Mr. Miller said the applicant requested a 30-day extension, while they await a decision from the Zoning Hearing Board.

Mr. Lauter moved to extend the review of the 'Homes at Riverside' plan by 30 days, as requested in a September 19th letter from the design engineer. Mr. Bealer seconded. And the Commission voted unanimously to approve a 30-day extension of the 'Homes at Riverside' preliminary plan.

Resolution #32-2014

review the draft August 26, 2014 meeting minutes [1:30.58]

Mr. Bealer requested one grammatical edit. Mr. Lauter moved to accept the August meeting minutes, as corrected. Mr. Bealer seconded. And the Commission voted unanimously to accept the August 26th meeting minutes.

Resolution #33-2014

Mr. Bealer mentioned the Blighted Property Review Committee's upcoming certification hearing scheduled for October 16th.

Mr. Miller mentioned a renewed effort by the administration to fill the Commission's empty and expired seats. He reported that some funding had been allocated for the planned reconstruction of Saint Bernardine Street in Angelica Creek Park (briefly discussed at the July 22nd meeting). He passed on PennDOT's invitation to a September 30th public meeting regarding the preliminary engineering for a replacement bridge carrying Philadelphia Avenue (SR 0724) over the Angelica Creek in Kenhorst Borough and Cumru Township. He said there hadn't been any further

communication regarding the requested modifications to the DoubleTree Hotel plan since the discussion at the August 26th meeting.

Mr. Lauter moved to adjourn the September meeting. Mr. Bealer seconded. And the Commission voted unanimously to adjourn the September 23rd meeting. – 20:38p